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Docket No. F-6803

Ser. No. 09/750,604

REMARKS

Claims 1, 3, and 5-15 remain pending in this application. Claims 1-3 and 5-15 are rejected. Claims 2 and 4 are previously cancelled. Claim 1 is amended herein to address a matter of amendment form unrelated to substantive patentability issues.

CLAIM OBJECTIONS

Claim 1 is objected to due to an amending error resulting in word repetition. The claim is amended to address the objection. Accordingly withdrawal of the objection is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1, 3 and 5-15 are rejected as obvious over the Junkin reference in view of the Hawkins reference and further in view of *The Official Guide to Ultima Online* (hereinafter "Ultima reference") under 35 U.S.C. §103(a). The applicant herein respectfully traverses this rejection. For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

The Examiner now cites the Ultima reference teaching allowing a player to take possession of an item possessed by another player based on an outcome of the common game. In particular, the Office Action cites pages 22-23 of the Ultima reference which teach that a winning player may "loot" a losing player's inventory

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of items. Additionally, the Office Action indicates that reference teaches a player relinquishing possession of an item in response to a demand from another player such as “your money or your life.” Thus, the Office Action concludes that it would be obvious to modify the other cited programs “to allow players to take possession of an item(s) in response to an outcome of a common game, as suggested by UO.”

While the above disclose portion of the Ultima reference allows a player to take possession of items from another player, it is respectfully submitted that the reference does not suggest the combination of features presented in claim 1 and also fails to suggest the individual features as recited in claim 1.

Claim 1 recites:

a discrimination device for discriminating, based on and in response to an outcome of the common game, whether the respective game machine is a first game machine of the at least two game machines which provides possession of a particular game element of the game elements or a second game machine which receives possession of the particular game element, from amongst said at least two game machines.

It is submitted that review and consideration of the teaching of the Ultima disclosure reveals the above claimed “discrimination” is not at all suggested. As best understood the Ultima disclosure indicates that the game consists of a world wherein thieves and murderers lurk. It is apparent from the quote “your money or your life” that players may take possession of other player’s items throughout the game. This is further indicated in the discussion of “Stealing” and “Looting” on

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page 23 of the Ultima reference. Thus, it is apparent that it is always the ability of the other players to take possession of another player's items regardless of an outcome of a game, or event. In view of this, it is submitted that the claimed discrimination device is not suggested by the Ultima reference because it is not needed by the game described in the Ultima reference.

From the above it follows that the claimed "a transaction information providing device for providing transaction information to the second game machine in response to the game machine being discriminated to be the first game machine, ... " cannot be suggested since provision of such information is not taught as being done in response to a discrimination as claimed. The discrimination triggered transaction information is then displayed by "a presentation device for presenting the acquirable game elements to the user of the second game machine" which operates "in response to production of the transaction information." It appears from the Ultima reference that players can look around in the game environment to find other's player's possession regardless of the state of the game or whether an outcome has been discriminated.. Therefore, a transaction information providing device triggered by a discrimination is not needed nor suggested.

Claim 1 further includes the feature recited as follows:

a selection situation display device for displaying an image indicating the selection of the game element on the display device of the second game machine in response to the selection and decision operation, and displaying an image indicating the selection of the game element on a display device of the first game machine, based on

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the operation information in synchronization with the displaying of the situation of selection of the game element on the display device of the second game machine.

It is further submitted that the above display device is not taught by the Ultima reference. The Ultima reference does not indicate that a display is made to a victim when the victim is stolen from. It would be understood that such thievery would be done in a manner not simultaneously displayed to the victim player. With regard to the looting of the dead, it is submitted that the deficiency regarding providing such presentation of items, opportunity for their selection, and a display of their selection in response to a game outcome determination is remains. In other words, the dead player's items are apparently always displayed in the sense that a thief could find and take them even when the player was alive. Hence, there is no provision of transaction information, presentation of item selections, or displays of selections made possible in response to a discrimination on game outcome as presented in claim 1.

Independent claims other than claim 1 include subject matter similar to that discussed above. Thus, it is respectfully submitted that the rejected claims are not obvious in view of the cited references for the reasons stated above. Reconsideration of the rejections of the claims and their allowance are respectfully requested.

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REQUEST FOR EXTENSION OF TIME

Applicant respectfully requests a one month extension of time for responding to the Office Action. **The fee of \$120.00 for the extension is provided for in the charge authorization presented in the PTO Form 2038, Credit Card Payment form, provided herewith.**


If there is any discrepancy between the fee(s) due and the fee payment authorized in the Credit Card Payment Form PTO-2038 or the Form PTO-2038 is missing or fee payment via the Form PTO-2038 cannot be processed, the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

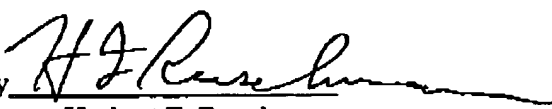
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